

IN RE	:	Bankruptcy No. 18-10679-TPA
	:	Chapter 13
Rick James Wagner and	:	
BillieJo Wagner,	:	
Debtors	:	
	:	Docket No.: 53
<hr/> Rick James Wagner and	:	
BillieJo Wagner,	:	
	:	
Movants	:	
	:	
vs.	:	
	:	
Ronda J. Winnecour, Esquire,	:	
Chapter 13 Trustee,	:	
Respondent	:	

**CONSENT ORDER FOR VEHICLE FINANCING**

NOW, this 6<sup>th</sup> day of August 2021, upon an agreement reached by the Debtor and the Chapter 13 Trustee, as evidenced by signatures of counsel as set forth below, it is:

**ORDERED, ADJUDGED, and DECREED** that:

- the Debtor is authorized to obtain secured financing for the purchase of a replacement vehicle on the following terms:
  - the total amount of financing **shall not exceed \$25,000**; and
  - the monthly payment **shall not exceed \$400**.
- To the extent that the Debtor secures financing for the purchase of a vehicle, such payments must be incorporated into the Chapter 13 plan. Within (30) DAYS of securing such financing, Debtors shall file:
  - an amended chapter 13 plan; and
  - a report of financing shall be filed with this court, with the financing agreement attached as an exhibit

3. To ensure the prompt and timely payment of the automobile loan, the Debtor shall make a supplemental payment to the chapter 13 trustee **within 7 days** of filing the report of filing of the report of financing (and each month thereafter as necessary) in an amount sufficient for the trustee to cover the installments due on the loan. The supplemental payments shall be in addition to the regular plan payment, pending the confirmation of the amended plan.
4. Pending confirmation of any amended plan providing for the new post-petition loan payments, the trustee is authorized to make monthly adequate protections payments to the post-petition automobile lender for the contract amount so long as sufficient supplemental funds are provided by the Debtor.
5. Notwithstanding the inclusion of the post-petition loan within an amended chapter 13 plan, the underlying terms of the loan shall not be modified absent the consent of the post-petition automobile lender.
6. Debtor shall serve copies of this *ORDER* on all creditors eligible to receive distributions through the chapter 13 plan and file proof of the same with the Court.

Dated: August 9, 2021



ljm  
UNITED STATES BANKRUPTCY JUDGE

Consented to:

/s/ Daniel P. Foster

Daniel P. Foster, PA I.D. # 92376

Attorney for Debtors

Foster Law Offices

1210 Park Avenue

Meadville PA 16355

(814) 724-1165

[dan@mrdebtbuster.com](mailto:dan@mrdebtbuster.com)

/s/ Katherine M. DeSimone

Katherine M. DeSimone

Attorney for Chapter 13 Trustee

US Steel Tower – Suite 3250

600 Grant St.

Pittsburgh, PA 15219

(412) 471-5566

[ksimone@chapter13trusteewdpa.com](mailto:ksimone@chapter13trusteewdpa.com)

In re:  
Rick James Wagner  
BillieJo Wagner  
Debtors

Case No. 18-10679-TPA  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0315-1  
Date Rcvd: Aug 09, 2021

User: mgut  
Form ID: pdf900

Page 1 of 2  
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
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+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
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Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 11, 2021:

Recip ID	Recipient Name and Address
db/jdb	+ Rick James Wagner, BillieJo Wagner, 1374 Cayuga Drive, Espyville, PA 16424-4206

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 11, 2021

Signature: /s/Joseph Speetjens

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 9, 2021 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor Nationstar Mortgage LLC d/b/a Mr. Cooper bnicholas@kmlawgroup.com
Chandra Marie Arkema	on behalf of Creditor J.P. Morgan Mortgage Acquisition Corp. tuhawkeye@msn.com carkema@squirelaw.com
Daniel P. Foster	on behalf of Debtor Rick James Wagner dan@mrdebtbuster.com katie@mrdebtbuster.com;kaitlyn@mrdebtbuster.com;kristen@mrdebtbuster.com;fosterlaw@ecf.inforuptcy.com
Daniel P. Foster	on behalf of Joint Debtor BillieJo Wagner dan@mrdebtbuster.com katie@mrdebtbuster.com;kaitlyn@mrdebtbuster.com;kristen@mrdebtbuster.com;fosterlaw@ecf.inforuptcy.com
Heather Stacey Riloff	on behalf of Creditor Seterus Inc., as the authorized subservicer for Federal National Mortgage Association ("Fannie Mae"),

District/off: 0315-1

User: mgut

Page 2 of 2

Date Rcvd: Aug 09, 2021

Form ID: pdf900

Total Noticed: 1

creditor heather@mvrllaw.com, Michelle@mvrllaw.com

Michael John Clark

on behalf of Creditor J.P. Morgan Mortgage Acquisition Corp. c/o Rushmore Loan Management Services LLC  
mclark@squirelaw.com

Office of the United States Trustee

ustpregion03.pi.ecf@usdoj.gov

Ronda J. Winnecour

cmecf@chapter13trusteedpa.com

TOTAL: 8